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RUEHSN/AMEMBASSY SAN SALVADOR IMMEDIATE 0061  
RUEHTL/AMEMBASSY TALLINN IMMEDIATE 0246  
RUEKJCS/SECDEF WASHINGTON DC IMMEDIATE  
RHEHAAA/THE WHITE HOUSE WASHINGTON DC IMMEDIATE  
RHEHNSC/NSC WASHDC IMMEDIATE  
RUEKJCS/JOINT STAFF WASHINGTON DC IMMEDIATE  
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C O N F I D E N T I A L SECTION 01 OF 02 BUCHAREST 001009

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SUBJECT: (C) MFA SECRETARY OF STATE BUGA -- SOMETHING IN 24  
HOURS OR WE HAVE TO DEPART!

Classified By: Acting Deputy Chief of Mission Jennifer Bonner for reasons 1.4(b) and (d)

¶1. (C) Romania,s MFA Secretary of State Iulian Buga (accompanied by Director General Legal Affairs Cosmin Dinescu) asked for an urgent meeting today with Chargé to discuss the critical time constraints for permitting Romania to maintain its troops in Iraq. Buga noted that National Security Advisor Rubaie had sent a formal letter to NATO Secretary General de Hoop Scheffer on December 21, attesting that the NATO Training Mission-Iraq (NTM-I) would be accorded all the authorities, immunities, and exemptions contained in the U.S.-GOI SOFA in hope of forestalling a NATO redeployment. Buga said without a similar letter from a competent Iraqi authority speaking for the Government of Iraq -- and in the absence of legislative action by the COR -- Romania will be forced to take a decision NLT 12/24 to redeploy its troops from Iraq in order to give the Romanian military sufficient time to prepare the logistics so that Romania,s troops will have departed Iraq before the 12/31 deadline.

¶2. (C) Buga said that Romania would prefer to have a letter from PM Maliki but could accept a NATO-like version from NSA Rubaie provided that Rubaie can speak authoritatively for the Iraqi government and that delegation is specified within the letter. Romania also would prefer that for legal purposes an Iraqi letter would extend legal coverage of CPA-17 for the interim period pending the conclusion of negotiations for an Exchange of Letters (EOL). He noted, however, that the GOR could accept an arrangement similar to the NATO letter that would provide for the same points contained in the U.S.-GOI SOFA. He emphasized that this would only be a temporary solution that would be replaced when the EOL is signed.

¶3. (C) Buga underscored that Romania,s situation appears clearly unique to those of the other coalition partners, and emphasized that Ambassador Scutaru, who is currently in Baghdad meeting with Rubaie, the Deputy FM, the Prime Minister's Legal Advisor, and Iraqi J2 among others in preparation for EOL negotiations, appears to be getting contradictory responses from the Iraqi authorities. Buga said Romania could use U.S. help pressing the Iraqis to get interim legal coverage for Romanian troops so they do not need to be redeployed. In terms of where the Romanian troops would go, Buga acknowledged that the Kuwait option is not preferred by MOD over bringing them back to Romania. He also expressed appreciation to the U.S. for the idea of embedding Romanian troops with U.S. forces until a legal framework is reached, but that would only solve the security/protection

issue and not the legal one. He underscored that Romania needs by 12/24 a reasonable written guarantee that the Romanian troops in Iraq will have acceptable legal and security coverage after 12/31, or else there is no choice other than redeployment.

¶4. (C) NOTE: In response to POLOFF query, Buga said the reason a letter extending interim legal coverage of CPA-17 -- if that is the route the GOI would take with a letter -- is needed because they have heard from Iraqi Counselors that CPA-17 would definitely be cancelled, and otherwise have no applicability after 12/31.

¶5. (C) Buga explained that following the problems with the Iraqi Parliament not moving forward with legislation on the Continuing Presence Agreement he recommended to President Basescu, who agreed, to push through the new Romanian Parliament (which only seated yesterday!) an authorization bill for Romania to continue its presence in Iraq. Buga said he met yesterday with the Defense and Foreign Affairs Committees of both the Senate and the Chamber, and though it was a difficult sell and several MPs questioned why the GOR is pressing for this when it is clear Iraq does not want Romania to stay in the coalition, Buga successfully shepherded the legislation through and the Parliament approved it last night. Thus Romania has obtained its domestic legal coverage but needs something temporary but authoritative from Iraq regarding continued presence by tomorrow.

¶6. (C) In a separate meeting between ARMAT with Ministry of  
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Defense Director for International Cooperation Brigadier General Alexandru Cotoara-Nicolae, Cotoara confirmed that domestic political requirements related to a continued deployment in Iraq were solved by the Romanian Parliament. However, he reiterated that a legal mechanism from the Government of Iraq, whether it is an exchange of letters, SOFA, or other jointly agreed measure, needed to be completed in order to have Romanian forces conduct missions in Iraq after 31 December 2008. While the Ministry of Defense would prefer to have its forces remain in their garrisons in Iraq during any negotiation period after 31 December 2008 to complete such a legal mechanism, Cotoara stated that this was a political decision out of the hands of the Ministry of Defense.

¶7. (C) Comment: The GOR has done everything it could to keep troops in Iraq -- politically, diplomatically and legally. This is a national commitment by the President not only to the Iraqi people and the coalition, but also -- and most importantly -- to the USG. Embassy Bucharest strongly urges that the U.S. do everything it can to support the Romanian efforts and to press the Iraqi government to give Romania a solution similar to the one granted to NATO; time has run out. The Romanians have instructed their Embassies in Washington and Baghdad to pursue the same.  
GUTHRIE-CORN